

**Before the
Federal Communications Commission
Washington, DC 20554**

FCC 14M-35
10168

In the Matter of)	EB Docket No. 14-82
)	
PATRICK SULLIVAN)	FRN: 0003749041, 0006119796,
(Assignor))	0006149843, 0017196064
)	
and)	Facility ID No. 146162
)	
LAKE BROADCASTING, INC.)	File No. BALFT-20120523ABY
(Assignee))	
)	
For Commission Consent to the Assignment of)	
License of FM Translator Station W238CE,)	
Montgomery, Alabama)	

ORDER

Issued: November 20, 2014

Released: November 20, 2014

On September 24, 2014, pursuant to *Orders*, FCC 14M-21 and FCC 14M-29, parties Patrick Sullivan, Lake Broadcasting, Inc., and Michael Rice (“Lake”) (collectively “Applicants”), and the Enforcement Bureau (“Bureau”) submitted a consolidated Joint Status Report.

In their Joint Status Report, Applicants and the Bureau state that they have negotiated as to Interrogatory Nos. 14 and 15.¹ However, the Bureau remains unsatisfied with the amount of information that Lake has produced. In particular, the Bureau seeks the identity and location information of all employers who have paid Michael Rice a total of \$1,000 dollars or more in compensation over the last five years.² Lake has only been willing to produce the proper identification and location information for two of Rice’s former employers.³

The parties shall continue to negotiate as to the appropriate scope of discovery. The parties shall report the results of their negotiations in the next Joint Status Report due on December 1, 2014.⁴ If the Bureau remains unsatisfied with the amount of information to be furnished by Lake, and Lake is still unwilling to produce, in that event, an appropriate motion for relief shall be filed by December 3, 2014.

¹ Joint Status Report at 2 ¶ 2 (filed Sept. 24, 2014).

² *Id.* at 3 ¶ 3.

³ *Id.* at 3 ¶ 2.

⁴ *Order*, FCC 14M-21 at 2 (rel. June 25, 2014).

In addition, the parties shall identify in their next Status Report the manner in which they believe the issues set for hearing may be impacted by holdings in the Commission's recent *Decision in David Titus*.⁵

The Presiding Judge has a particular interest in learning the parties' respective positions as to (1) the impact the *Decision* has on the quantity and quality of proof that the Applicants need to introduce in order to carry their burden; (2) other ways, if any, that the *Decision* increases or decreases the discovery needs of the Bureau or the Applicants; and (3) other considerations or concerns arising from the *Decision in David Titus*.

SO ORDERED.

FEDERAL COMMUNICATIONS COMMISSION⁶



Richard L. Sippel
Chief Administrative Law Judge

⁵ *David Titus*, Decision, FCC 14-177, EB Docket No. 07-13 (rel. Nov. 6, 2014).

⁶ Courtesy copies of this *Order* were sent by e-mail on date of issuance to each counsel.